

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO et al.,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

ORDER GRANTING MOTION TO SEAL FOR LIMITED DURATION AND FOR SUPPLEMENTAL BRIEFING

The Court has received and reviewed the *Urgent Motion of DRA Parties to File Under Seal the Attachment to DRA Parties' Response to Evidentiary Objection to the Expert Report Attached to the DRA Parties' Reply in Support of the DRA Parties' Motion for Allowance of Administrative Expense Claim* (Docket Entry No. 18431 in Case No. 17-3283, the “Motion to Seal”),² filed by the DRA Parties. Through the Motion to Seal, the DRA Parties seek to file under seal the Amended Martinez Expert Report. The Motion to Seal asks the Court to maintain the confidentiality of certain “analysis and conclusions” contained in the Amended Martinez Expert Report that rely on and refer to material and information designated “Confidential Material” or “Confidential Information” by the parties to the Protective Orders.

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² Capitalized terms used but not otherwise defined herein have the meanings given to them in the Motion to Seal.

The Motion to Seal does not include sufficient information to justify sealing of the Amended Martinez Expert Report. Thus, the Court will only permit the Amended Martinez Expert Report to be filed under seal for a limited duration, during which time interested parties may submit briefing to the Court explaining why continued sealing is appropriate. Accordingly:

1. The DRA Parties are entitled to file the full, unredacted version of the Amended Martinez Expert Report under seal.
2. The Clerk of Court shall allow access to the Amended Martinez Expert Report to the Oversight Board, the Debtors, AAFAF, the UCC, the Retiree Committee, and the Monolines.
3. Any party may file with the Court a short brief justifying the continued sealing of the Amended Martinez Expert Report or redaction of certain information in the Amended Martinez Expert Report by **October 15, 2021**. The Court will thereafter take any such requests for continued sealing on submission.
4. This Order is without prejudice to the rights of any party in interest to seek to unseal the Amended Martinez Expert Report or any part thereof.
5. This Order resolves Docket Entry No. 18431 in Case No. 17-3283.

SO ORDERED.

Dated: October 8, 2021

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge